

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DENNIS E. CAMPBELL,

Defendant.

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8:05CR139

ORDER

This matter is before the court on the defendant's Motion for Pretrial Release (#40). The motion is denied without hearing.

The proposed placement of the defendant with a third-party custodian fails to adequately address the court's concerns leading to the August 18, 2005 detention order (#39), and fails to rebut the presumption of detention under 18 U.S.C. § 3142(e). Specifically, placement with a third-party custodian would not address the defendant's significant criminal record, his past failures to appear, or the fact that the defendant has, in the past, been arrested for new offenses while on bond. Therefore,

IT IS ORDERED:

1. The defendant's Motion for Pretrial Release (#40) to a third-party custodian is denied without hearing.

Dated this 24th day of August 2005.

BY THE COURT:

S/ F.A. Gossett
United States Magistrate Judge